



INVENTOR DECLARATION

**Attorney Docket No.
P01577US0**

~~As aforesaid~~ As aforesaid named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**MINIMALLY INVASIVE INTRAMEDULLARY NAIL INSERTION INSTRUMENTS AND METHOD**", the specification of which

(check one) is attached hereto.

was filed on June 30, 1998 as Application Serial No. or PCT international application No.
No. 09/107,644

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NA

(Number)

(Country)

(Day/Month/Year Filed)

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No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

N4

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or § 365(b) of any PCT international application designating the United States of America, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. or PCT international application in the manner provided by the first paragraph of Title 35, U.S.C. §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Nff

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John Pepper, et al.

Serial No.: 09/107,644

Filed: June 30, 1998

Title: MINIMALLY INVASIVE
INTRAMEDULLARY NAIL INSERTION
INSTRUMENTS AND METHOD

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Docket No.: PO1577US

Group No.:

Examiner:

POWER OF ATTORNEY BY ASSIGNEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As named Assignee for the above-identified application, it is requested that the following attorneys be appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

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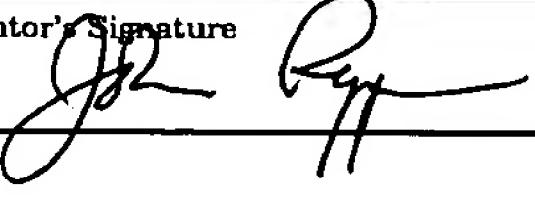
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SMITH & NEPHEW, INC.

Date: 17 Jun 98

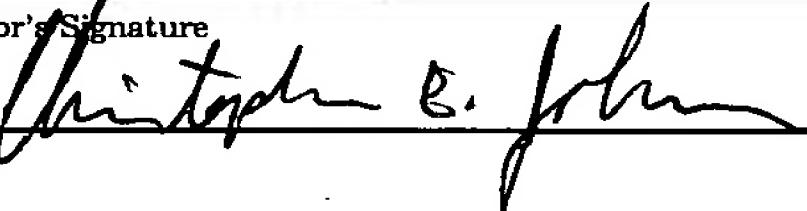
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